

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:

KEVIN BRIAN GUNNELL EL

**Civil Action 2:17-mc-23
Chief Judge Algenon L. Marbley
Magistrate Judge Jolson**

ORDER

Plaintiff, proceeding *pro se*, filed this action seeking declaratory and injunctive relief against Franklin County Probate, Franklin County Common Pleas Probate Court, and Franklin County Probate Clerk Robert G. Montgomery. (*Id.* at 2). While not entirely clear, Plaintiff's Complaint seems to be based on his allegations that he is a "Moorish American National," who has a right to retain gold taken allegedly taken from "the people" in 1933. (*Id.* at 3). He also claims that Franklin County Probate Clerk Robert G. Montgomery committed "fraud and deceit" "as asserted and confirmed by the Pope's civil orders." (*Id.* at 12).

It is unclear why Plaintiff filed this case as a miscellaneous matter, which is an ancillary and supplementary proceeding related to other cases filed in federal courts. This action does not appear to be related to another case filed in federal court, nor have similar actions been filed as miscellaneous cases. Thus, Plaintiff is **ORDERED** to show good cause within fourteen days why this action should remain as a miscellaneous action and why he should not be charged the full civil filing fee of \$400, or in the alternative, be required to file a motion to proceed *in forma pauperis*.

IT IS SO ORDERED.

Date: September 27, 2019

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE